


Hooper discloses receiving a signal on a subscriber line, but, as the Examiner acknowledges, fails to disclose the determination of the signal energy contained in the entirety of the signal on the subscriber line.

The Examiner relies upon Abe for teaching the determination of the signal energy contained in the entirety of the signal. The Applicants respectfully traverse this characterization of Abe.

The Examiner cites Abe's peak detector 2301 for determining a signal representing signal energy of an entirety of the signal on the subscriber line. The Applicants respectfully note, however, that Abe's peak detector 2301 is preceded by a demodulator 2101 (Abe's FIG. 34). As Abe describes: "[t]he demodulator 2101 outputs a signal having a voltage that is proportional to the instantaneous *frequency* of the RF ... signal". Thus, Abe's peak detector 2301 detects a peak *frequency* of the RF signal, and not the signal *energy*, as the Applicants' claim. As is evident to one of ordinary skill in the art, a signal's *frequency* is independent of the signal *energy* that is contained in the signal. Measuring a peak frequency of an RF signal provides no information regarding the energy contained in the RF signal. Knowing the frequency of a signal provides no information regarding the energy contained in the signal.

In view of the foregoing, the Applicants respectfully request that the Examiner withdraw the rejections of record, allow all the pending claims, and find the present application to be in condition for allowance. If any points remain in issue that may best be resolved through a personal or telephonic interview, the Examiner is respectfully requested to contact the undersigned at the telephone number listed below.

Respectfully submitted,



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CERTIFICATE OF MAILING OR TRANSMISSION

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On 18 July 2003

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